

To The Point – Answers You’ve Asked For!

What are the requirements for purchasing from FPI for Department of Defense and civilian agencies?

The requirements are the same for all agencies. Look inside...helpful, step-by-step instructions are provided.

What are the key changes?

Recent changes in the law altered the process by which purchases from FPI are made, now requiring that agencies determine in writing, whether an FPI product is comparable to those available from the private sector in terms of price, quality and time of delivery. If the FPI item is found comparable, you have the option to purchase it from FPI, or request a waiver of mandatory source, based on other considerations. If the FPI item is not comparable, use competitive procedures, but solicit an offer from FPI. See the UNICOR website, www.unicor.gov, for complete waiver instructions and an on-line form to expedite your request.

Who determines comparability?

Comparability is a unilateral determination made at the discretion of the agency’s contracting official.

Additional Factors Guiding Your Purchase

FPI’s Board of Directors adopted resolutions providing that:

- **FPI’s mandatory source for purchases of \$2,500 or less has been waived.** This means federal customers may purchase such items from FPI at their discretion, but no waiver is required to buy from another source (see FAR 8.6).
- **FPI’s mandatory source has been waived for every Federal Supply Classification (FSC) code where FPI’s share of the federal market is 20 percent or more.** But in these FSCs, FPI must be given a fair opportunity to compete. (See www.unicor.gov; click on *Purchasing from UNICOR; Purchasing Exceptions*, for a listing of FSCs for which mandatory source is waived).
- **FPI must waive mandatory source for any item where the private sector offers a lower price for a comparable product that FPI does not match.** (See www.unicor.gov; click on *Purchasing from UNICOR; Justifications for a Waiver*).

Call FPI’s Ombudsman to answer your purchasing-related questions:

202-305-3515, or inquire on-line, at www.unicor.gov; click on *Ombudsman*.

See FPI’s complete Schedule of Products and Services at www.unicor.gov

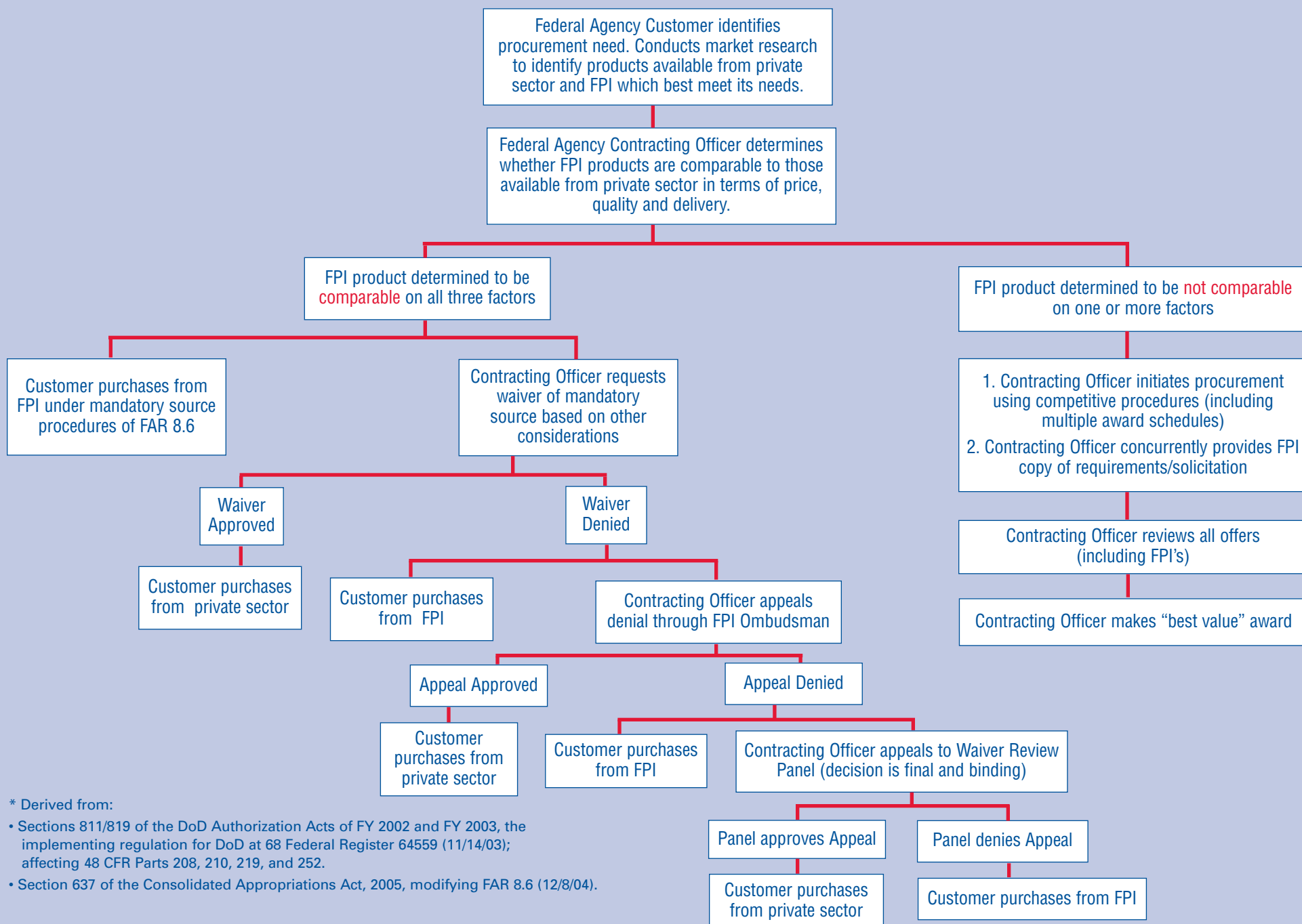
**Purchasing
from
Federal Prison
Industries**

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SIMPLE**

**Your guide to applicable laws,
regulations, board resolutions,
and procedures.**



DECISION PATH OF PROCEDURES FOR PURCHASING FROM FPI*



* Derived from:

- Sections 811/819 of the DoD Authorization Acts of FY 2002 and FY 2003, the implementing regulation for DoD at 68 Federal Register 64559 (11/14/03); affecting 48 CFR Parts 208, 210, 219, and 252.
- Section 637 of the Consolidated Appropriations Act, 2005, modifying FAR 8.6 (12/8/04).